

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
)
Bush-Cheney 2000, Inc. and) MUR 5199
David Herndon, as Treasurer)

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission executive session on November 4, 2003, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to MUR 5199:

1. Find probable cause to believe that Bush-Cheney 2000, Inc. and David Herndon, as Treasurer, violated 2 U.S.C. § 434(b)(2)(J) and 2 U.S.C. § 434(b)(4)(G) and (I).
2. Find probable cause to believe that Bush-Cheney 2000, Inc. and David Herndon, as Treasurer, violated 2 U.S.C. § 434(b)(3)(G) and 2 U.S.C. § 434(b)(6)(A).
3. Approve the conciliation agreement, as recommended in the General Counsel's Report dated October 8, 2003.
4. Approve the appropriate letter.

(continued)

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Commissioners Mason, McDonald, Smith, Thomas, and
Weintraub voted affirmatively for the decision.

Commissioner Toner recused himself with respect to
this matter; he was not present and did not vote.

Attest:

November 5, 2003
Date

Darlene Harris
Darlene Harris
Deputy Secretary of
the Commission